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EXAMINER
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ART UNIT	PAPER NUMBER
2175	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
	10/813,644	ROLLIN ET AL.
Office Action Summary	Examiner	Art Unit	
	HENRY ORR	2175	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>05 June 2009</u>.

2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>43,48-60 and 62-77</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) <u>60 and 62-77</u> is/are allowed.

6) ☒ Claim(s) <u>43 and 48-59</u> is/are rejected.

7) ☒ Claim(s) <u>74</u> is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some *   c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to applicant's amendment dated 6/5/2009.

2. Claims 43, 48-60 and 62-77 are pending in the case.

3. Claims 44-47, 61 and 78 are cancelled.

4. Claims 43, 60, 72 and 74 are independent claims.

Applicant's Response

5. In Applicant's response dated 6/5/2009, applicant has amended the following:

    a) Claims 43, 60, 72 and 74-77

    Based on Applicant's amendments and remarks, the following objections and rejections previously set forth in Office Action dated 3/5/2009 are withdrawn:

    a) 35 U.S.C. 101 Rejection to claims 74-77

    b) 35 U.S.C. 112 1st Rejection to claims 60 and 62-73

Claim Objections

6. Claim 74 is objected to because of the following informalities:

    Claim 74 should be amended to recite "~~incident~~ in response to a function call" to read more clearly. Appropriate correction is required.

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

8.   Claims 43 and 48-57 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Mithal et al. (hereinafter "Mithal"), U.S. Patent No. 5,953,720 A,

in view of Strittmatter et al. (hereinafter "Strittmatter"), U.S. Published Application

No. 2004/0176118 A1 of record,.

Claim 43:

Mithal teaches an approach that has been used in prior art to allow a user to

choose between printers (see col. 1 lines 14-22). Mithal's Figure 1 illustrates a "Printers"

folder. Examiner submits that it was known in the art at the time of the invention for a

system registry to store the configuration settings of an installed printer or device and

that the "Printers folder" was known to contain a list of the installed printers. **(claim 43;**

i.e., a method for device selection in a computer system having a hardware and

devices folder that uses a function discovery database to enumerate a list of all

devices installed on the computer system, the method comprising:) Examiner

interprets the "Printers folder" and the system registry to serve as equivalents to the

claimed hardware/device folder and function discovery database, respectively.

Mithal's Figure 3 illustrates **creating a common dialog object suitable for**

displaying information associated with devices installed on the computer system

to a user on a display device. Examiner interprets the dialog object shown in Figure 3

to be capable of displaying a "Printers folder" as known in the art at the time of the

invention (see Figure 1)

Examiner further notes that the instant specification recites "In one embodiment,

the common file dialog 520 is similar to that used in the known Windows.RTM.

operating system." (see p. 13 lines 15-20). Therefore, it appears that the common file

dialog is a feature known in the art at the time of the claimed invention.

Mithal's Figure 3 illustrates **wherein said creating comprises leveraging at**

least one file management tool within the computer system (e.g. managing the

local filesystem).

Mithal's Figure 3 illustrates **associating a user-selected filter with common**

file dialog object; (see col. 6 lines 51-56)

As explained above, Mithal teaches an approach that involves obtaining device

information corresponding to printers installed on the computer system to be displayed

by accessing device information contained in a system registry. (see col. 1 lines 14-

22).**(claim 43; i.e., obtaining device information corresponding to the devices**

installed on the computer system to be displayed by accessing device

information contained in the function discovery database)

As explained above, Mithal's Figure 1 illustrates a "Printers" folder.**(claim 43; i.e.,**

function discovery database (i.e., system registry) **used by the hardware and**

devices folder to enumerate a list of the installed devices, the hardware and

devices folder being different from the created common file dialog object;)

Mithal fails to expressly teach **filtering the device information using the user-selected filter to obtain a filtered subset of enumerated devices**

However, Strittmatter teaches **filtering the device information using the user-selected filter to obtain a filtered subset of enumerated devices, the filtered subset comprising a plurality of relevant devices;** (see Strittmatter; par. 87, par. 92).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the common file dialog object as taught by Mithal to include a user-selected filter as taught by Strittmatter to provide the benefit of allowing more control to the user when choosing the desired printer device.

Mithal teaches causing a common file dialog object to output display information (see abstract).

Mithal fails to expressly teach display information of a filtered subset of enumerated devices.

However, Strittmatter teaches **causing the common file dialog object to output display information of the filtered subset of enumerated devices to the display device** (see Strittmatter; par. 92).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the common file dialog object as taught by Mithal to include a user-selected filter capable of filtering a subset of enumerated devices as taught by Strittmatter to provide the benefit of allowing more control to the user when choosing the desired printer device.

Mithal's Figure 3 illustrates display information comprising an icon representation and a corresponding textual description.

Mithal fails to expressly teach a filtered subset of device information.

However, Strittmatter teaches **the display information comprising an icon representation of each of the plurality of relevant devices in the filtered subset and a corresponding textual description of each of the plurality of relevant devices** (see Strittmatter; par. 96-98, Figure 15, Figure 14- teaches icons with textual descriptive titles (e.g. "pda", "BPP Printer", "LAN Printer")).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the common file dialog object as taught by Mithal to include a user-selected filter capable of filtering a subset of enumerated devices as taught by Strittmatter to provide the benefit of allowing more control to the user when choosing the desired printer device.

Mithal's Figure 1 illustrates a "Printers Folder" within a common file dialog. Examiner submits that by selecting the "Printers Folder", a list of all the printers attached to the computer device will be displayed within the open area of the folder. Examiner further submits that a plurality of browser applications are each capable of demonstrating the "Printers Folder" behavior as suggested by Figure 1. **(claim 43; i.e., displaying a common file dialog comprising a plurality a plurality of icons representing all of the relevant devices such that representations of all of the relevant devices are provided within a single display area, wherein the common**

file dialog provides a consistent way for each of a plurality of applications to

present devices to a user and to receive device selections from the user;)

Mithal teaches **receiving a user selection of a device** (see col. 1 lines 14-22).

Mithal teaches **returning a reference to the selected device** (see col. 4 lines

32-35**).**

Claim 48:

Mithal teaches **accessing the device information contained in the system**

registry comprises using a programming interface (see Figure 1). Examiner

interprets the mechanism used to communicate and change configuration settings

stored in the system registry from the "Printers folder" to be equivalent to the claimed

programming interface. **(claim 48; i.e., accessing the device information contained**

in the function discovery database comprises using a programming interface).

Claim 49:

As indicated above, Examiner interprets the mechanism used to communicate

and change configuration settings stored in the system registry from the "Printers folder"

as taught by Mithal to be equivalent to the claimed programming interface.

(claim 49; i.e., wherein using a programming interface comprises: creating

information for a first segment of code, the information received from the

common file dialog object; and communicating the information for the first

segment of code to a second segment of code in the function discovery database to access functionality provided by the second segment of code.

Claim 50:

Mithal teaches **wherein communicating the information for the first segment of code to the second segment of code comprises communicating through a medium** (see col. 6 lines 20-37).

Claim 51:

Examiner interprets the mechanism used to communicate and change configuration settings stored in the system registry from the "Printers folder" as taught by Mithal to be capable of communicating information as recited in claim 51.

(claim 51; i.e., wherein communicating the information for the first segment of code to the second segment of code comprises dividing the communication into multiple discrete communications).

Claim 52:

Examiner interprets the mechanism used to communicate and change configuration settings stored in the system registry from the "Printers folder" as taught by Mithal to be capable of communicating information as recited in claim 52. **(claim 52; i.e., wherein the multiple discrete communications are divided into divisible sets**

of functionality)

Claim 53:

    Mithal in view of Strittmatter teaches **wherein communicating the information for the first segment of code to the second segment of code comprises redefining the communication by ignoring at least one or more parameters** (see Strittmatter; par. 65, par. 75, par. 80).

Claim 54:

    Mithal in view of Strittmatter teaches **wherein communicating the information for the first segment of code to the second segment of code comprises using one or more pieces of middleware to convert the communications of the first code segment to a second code segment** (see Strittmatter; par. 34-37).

Claim 55:

    Mithal in view of Strittmatter teaches **wherein communicating the information for the first segment of code to the second segment of code comprises rewriting functionality** (see Strittmatter; par. 79, par. 94, par. 98-99).

Claim 56:

Mithal in view of Strittmatter teaches **wherein each segment of code includes at least one of a module, object, subroutine, and function** (see Strittmatter; par. 29).

Claim 57:

Mithal in view of Strittmatter teaches **wherein each segment of code includes at least one of a source code, intermediate code, or object code** (see Strittmatter; par. 29, par. 40, par. 50 par. 104.)

9.   Claims 58 and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mithal, in view of Strittmatter as cited above, in further view of Chiloyan et al. (hereinafter "Chiloyan"), U.S. Published Application No. 2002/0083228 of record.
Claims 58 and 59:

Regarding claims 58 and 59, both Mithal and Strittmatter fail to expressly teach determining whether an actionable function on a device within a user interface has been selected includes determining that a right-click has been performed.

However, Chiloyan teaches "The user clicks on an icon representing the desired peripheral device at a step 172 and selects an option to view the properties of that peripheral device" (see par. 53). **(claim 58; i.e., wherein receiving a user selection of a device from the displayed common file dialog object comprises determining whether an actionable function on a device within a user interface has been selected) (claim 59; i.e., wherein determining whether an actionable function on a**

device within a user interface has been selected includes determining that a right-click has been performed.) Examiner interprets pointing device that the user uses to click the chosen device as right-clicked actionable because in Windows 2000 the right mouse button lets you view the properties of a file, folder or other object.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the devices displayed in the common file dialog as taught by Mithal in view of Strittmatter to include an actionable function for displaying properties as taught by Chiloyan to provide the benefit of viewing additional details or attributes of the device.

Allowable Subject Matter

Claims 60 and 62-77 are allowed.

Response to Arguments

Applicant's arguments with respect to claims 43, 48-59 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to HENRY ORR whose telephone number is (571)270-

1308. The examiner can normally be reached on Monday thru Friday 8 to 4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, William L. Bashore can be reached on (571) 272-4088. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

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system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

8/25/2009
HO

/William L. Bashore/
Supervisory Patent Examiner, Art Unit 2175